

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

JEFFREY FRANKLIN,

Plaintiff,

v.

HERNANDEZ, *et al.*,

Defendants.

Case No. 2:20-cv-00063-RFB-DJA

ORDER

**I. DISCUSSION**

This action is a *pro se* civil rights action filed pursuant to 42 U.S.C. § 1983 by an individual who formerly was in the custody of the Nevada Department of Corrections. Plaintiff previously submitted an application to proceed *in forma pauperis* for prisoners. (ECF No. 1). The Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner within thirty (30) days from the date of this order or pay the full filing fee of \$400. This action will not proceed unless and until this matter is resolved.

**II. CONCLUSION**

For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma pauperis* for prisoners (ECF No. 1) is DENIED as moot.

1 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
2 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the  
3 document entitled information and instructions for filing an *in forma pauperis* application.

4 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,  
5 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for  
6 non-prisoners; or (2) pay the full filing fee of \$400.

7 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
8 dismissal of this action may result.

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10 DATED THIS 22<sup>nd</sup> day of July, 2020.

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12 UNITED STATES MAGISTRATE JUDGE  
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